

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION  
JANUARY 2023 SESSION

UNITED STATES OF AMERICA	)	Criminal No. 7:23CR1
	)	
v	)	<b>INDICTMENT</b>
	)	
ROBERT JUNIOR OVERSTREET, II	)	<b><u>In Violation of:</u></b>
	)	
	)	Title 18, U.S.C., §922(g)(1)

**COUNT ONE**

The Grand Jury charges:

1. On or about December 14, 2022, in the Western District of Virginia, the defendant, ROBERT JUNIOR OVERSTREET, II, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, to wit a Springfield Model XDM 10mm pistol. Said firearm had previously been shipped and transported in interstate or foreign commerce.
2. All in violation of Title 18, United States Code, Sections 922(g)(1).

**NOTICE OF FORFEITURE**

1. Upon conviction of the felony offense alleged in this Indictment, the defendants shall forfeit to the United States:
  - a. any firearms and ammunition involved or used in the commission of said offenses, or possessed in violation thereof, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).
  - b. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses, pursuant to 21 U.S.C. §

853(a)(1).

- c. any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said offenses, pursuant to 21 U.S.C. § 853(a)(2).
- d. any firearm used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances and/or raw materials, as described in 21 U.S.C. § 881(a)(1) and (2), and any proceeds traceable to such property, pursuant to 21 U.S.C. § 881(a)(11) and 28 U.S.C. § 2461(c).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. **Firearms**

- 1) A Springfield model XDM 10mm pistol, serial #AT118851
- 2) All ammunition, magazines, and accessories associated with this firearm

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21

U.S.C. § 853(p).

A TRUE BILL this 19<sup>th</sup> day of January, 2023.

/s/ Grand Jury Foreperson  
FOREPERSON

  
CHRISTOPHER R. KAVANAUGH  
UNITED STATES ATTORNEY